

INDYMAC BANK, F.S.B.

Plaintiff(s)

Index #: 08 CV 00873

- against -

Date Filed:

STEWART TITLE INSURANCE COMPANY

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on February 13, 2008 at 03:40 PM at

300 E 42ND STREET 10TH FLOOR
NEW YORK, NY10017

deponent served the within true copy of the SUMMONS & COMPLAINT, RULE 7.1. STATEMENT, JUDGE HELLERSTEIN'S RULES, JUDGE FREEMAN'S RULES, ELECTRONIC FILING INSTRUCTIONS on STEWART TITLE INSURANCE COMPANY, the defendant/respondent therein named,


CORPORATION by delivering thereat a true copy of each to MS. TRICIA SCOTT personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT, RULE 7.1. STATEMENT, JUDGE HELLERSTEIN'S RULES, JUDGE FREEMAN'S RULES, ELECTRONIC FILING INSTRUCTIONS as said defendant/respondent and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

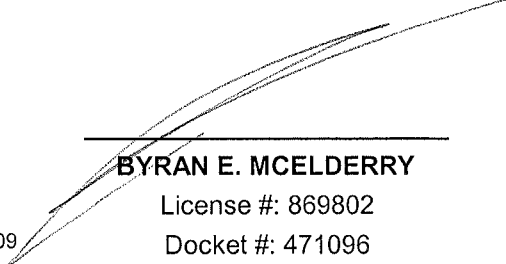
| Sex | Skin Color | Hair Color | Age (Approx.) | Height (Approx.) | Weight (Approx) |
|--------|------------|------------|---------------|------------------|-----------------|
| FEMALE | BLACK | BLACK | 37 | 5'4 | 130 |

Sworn to me on: February 14, 2008

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18,
2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


BYRAN E. MCELDERRY
License #: 869802
Docket #: 471096